

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

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|----------------------------------|---|-----------------------|
| TIMMY CHRISTIAN, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| -vs- |) | Case No. CIV-20-581-F |
| |) | |
| KILOLO KIJAKAZI, Acting |) | |
| Commissioner of Social Security, |) | |
| |) | |
| Defendant. |) | |

ORDER

On September 21, 2021, this court entered an order and judgment (doc. nos. 32 and 33) reversing the Commissioner's decision and remanding the case for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g).


Presently before the court is Plaintiff's Application for Award of Attorney's Fees Under the Equal Access to Justice Act (doc. no. 34), wherein plaintiff requests an award of attorney's fees in the amount of \$5,606.40, representing 3.5 hours of attorney work at a rate of \$208.00 per hour and 19.6 hours of attorney work at a rate of \$214.00 per hour and 5.7 hours of paralegal work at a rate of \$120 per hour. Defendant has responded to the application (doc. no. 35), and in so doing, has represented that she will not oppose plaintiff's requested award. Upon due consideration of the unopposed application, the court finds that an attorney's fee award in the amount of \$5,606.40 for all work performed in this case is reasonable and appropriate.

Accordingly, Plaintiff's Application for Award of Attorney's Fees Under the Equal Access to Justice Act, filed December 2, 2021 (doc. no. 34), is **GRANTED**.

Plaintiff is awarded attorney's fees under the Equal Access to Justice Act in the amount of \$5,606.40. Pursuant to Astrue v. Ratliff, 560 U.S. 586, 589 (2010), the attorney's fees are payable to plaintiff as the prevailing party. The check made payable to plaintiff shall be sent to plaintiff's counsel's office.

If attorney's fees are also awarded under 42 U.S.C. § 406(b), plaintiff's counsel shall refund the smaller award to plaintiff pursuant to Weakley v. Bowen, 803 F.2d 575, 580 (10th Cir. 1986).

DATED this 6th day of December, 2021.


STEPHEN P. FRIOT
UNITED STATES DISTRICT JUDGE

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